Monday, February 20, 2017

The Penn Township Board of Supervisors met this evening at 6:00 p.m. at the Penn Township Municipal Building, 157 East Airport Road, Butler, PA 16002 with the Chairman, Samuel M. Ward, presiding. Also present were Supervisors, Douglas A. Roth and Wilbert J. Mowry, Jr.

Township Manager, Linda D. Zerfoss, Land Use Administrator, Clinton A. Bonetti, Sgt. Cheryl Cranmer and Corporal Dennis Crawford, Jr. and 17 Township residents and visitors were also present.

Minutes

Motion by Supervisor Ward and seconded by Supervisor Roth that there being no additions or corrections to the minutes of the meeting held Monday, January 16, 2017 they be approved as presented. There being no questions or comments from the audience, the motion carried.

Correspondence

PSATS Township Legal Defense Partnership – Newsletter dated Winter 2017 on Keep PSATS Informed of Lawsuits and Union Contracts Involving Your Township, Brush Up On The Ethics Act, Public Employees’ Home Addresses Can Be Withheld Under RTKL and LDP Awaits Court Decisions in Several Significant Cases.

Armstrong – Letter advising of some rate adjustments that will take place in the coming month.

Audubon Society of Western Pennsylvania – Letter of thanks for the $5,000.00 donation to the Centennial Campaign.

Pennsylvania Department of Environmental Protection – Final NPDES Permit for Green Acres MHP, NPDES Permit #PA0102482.

Selective Insurance – Letter thanking the Township for selecting them as our insurance provider.

PSATS News Bulletin – Newsletter dated January 2017 on Capitol Roundup, Don’t Miss Upcoming PSATS Workshops, Townships Encouraged to Participate in Census Bureau’s LUCA Program, Grant Opportunities for Townships, Registration for PSATS 95th Annual Educational Conference and Trade Show is Now Open, and This and That.

Nixon United Methodist Church – Advising they will host their annual 5k fundraiser Saturday, April 29, 2017 with a starting time of 9:00 a.m.

Maher Duessel – Letter confirming that they will audit the Penn Township Books for the years ending December 31, 2016, 2017 and 2018.

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Correspondence – Continued

AK Steel Corporation – Submitted revised Sawmill Run Dam Emergency Action Plan.

Seminars

Calling all of the Agricultural Community, 02/21, Butler County

 Community College, 7:00 p.m.

Floodplain Administrator Best Practices: Guidance and Tools for

 Meeting Day to Day Challenges, 03/09, Allegheny Township

TAC Officer Training, 04/26, Monroeville Municipal Building

Motion by Supervisor Roth and seconded by Supervisor Mowry that all involved be authorized to attend. There being no questions or comments from the audience, the motion carried.

Treasurer’s Report

Mrs. Zerfoss read the list of invoices paid since the last report was read on January 16, 2017. Township Fund: $110,356.66, Fire Tax Fund: $8,996.45, Act 13 Impact Fund: $32,619.51, Municipal Pension, $324.08, Police Pension, $240.09. Deposits totaled $157,571.63. Balances were read as follows: Township Fund: $727,488.18, Fire Tax Fund: $40,729.99, Act 13 Impact Fund: $520,058.86, Municipal Pension Fund: $482,964.39, Police Pension Fund: $1,040,343.02, State Fund: $66,148.92. Motion by Supervisor Mowry and seconded by Supervisor Ward that the Treasurer’s Report be approved. There being no questions or comments from the audience, the motion carried.

Zoning Department

Mr. Bonetti reported the Butler County Planning Commission reviewed the following plans:

 Chips, Lot Line Revision #17042

 Zottola, Site Plan #17036

 Lauschus, 4 Lots & Lot Line Revision #17056

They had no comments on any of the plans.

Mr. Bonetti submitted the Chips Subdivision on Powell Road for approval. Motion by Supervisor Ward and seconded by Supervisor Roth that the Chips Subdivision on Powell Road be approved. There being no questions or comments from the audience, the motion carried.

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Zoning Department - Continued

Mr. Bonetti submitted the Lauschus Plan #2 on Meridian Road for approval. Motion by Supervisor Roth and seconded by Supervisor Mowry the Lauschus Plan #2 on Meridian Road be approved. There being no questions or comments from the audience, the motion carried.

Mr. Bonetti reported that he and the Planning Commission have been working for the last year and a half on updating the Township zoning ordinance.

Police Department

Mrs. Zerfoss read the Police report for January 2017.

Mrs. Zerfoss also reported the 2007 Crown Victoria was recently sold for $2,400.00.

Supervisor Ward reported on the recent article regarding the Police Emergency Services Unit proposed by the Butler County District Attorney. Penn Township Police, Cpl. Crawford, explained it is a tier 3 tactical response team to the county for handling active shooters. He explained the Township would receive a Mutual Aid Agreement with Butler County to review to determine if the Township wants to continue with this. Sgt. Cranmer explained about the recent situation in Butler City. Other departments were busy and Butler City had to call for additional officers. They in turn had to wait 4 hours until Allegheny County could respond. This is an enhancement to the County plus would offer free training. Nancy Swisher inquired where the team would be located. Cpt. Crawford stated the team is made up of various people from different police department. Supervisor Ward stated the Board would review the proposal when it’s received.

Road Department

Supervisor Roth reported that we own a small portion of Heller road and Jefferson Township will be paving their part and asked if we would like our part paved while they were there. It’s approximately 850’ and will cost approximately $11,000.00 to pave. Motion by Supervisor Mowry and seconded by Supervisor Ward to authorized Jefferson Township to pave our portion of Heller Road at an approximate cost of $11,000.00. There being no questions or comments from the audience, the motion carried.

Supervisor Roth stated he would like to purchase a RAC Geo II-GPS Based Distance Measuring device which would be a great asset. Motion by Supervisor Ward and seconded by Supervisor Roth that Supervisor Roth purchase the RAC Geo II-GPS Based Distance Measuring Device at a cost of $798.00. There being no questions or comments from the audience, the motion carried.

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Road Department – Continued

Supervisor Roth also requested approval for the Township Manager to advertise for the paving and sealing contract. Motion by Supervisor Roth and seconded by Supervisor Mowry that the Township Manager be authorized to advertise for the 2017 paving and sealing projects. There being no questions or comments from the audience, the motion carried.

Supervisor Roth reported the F550 dump truck had the motor blow up. It is up at Butler County Ford and fortunately it is still under warranty.

Recycling Department

Mrs. Zerfoss reported that DEP has received the 2015 Act 101 Municipal Recycling Program Performance Grant Application.

Parks and Recreation Department

Supervisor Roth reported that the Butler County Commissioners will open the bids for the Harcrest Park project on March 8.

Supervisor Roth requested the Township Manager advertise for a special meeting on March 13, 2017 at 12:00 p.m. to review the bids for the Harcrest Park. Motion by Supervisor Mowry and seconded by Supervisor Ward that the Township Manager be authorized to advertise for a special meeting on March 13, 2017 at 12:00 p.m. to review the bids for the Harcrest Park. There being no questions or comments from the audience, the motion carried.

Supervisor Roth also reported that construction will begin this year at the Audubon Society on Airport Road.

Public Relations Department

No report.

Old Business

None.

New Business

Vicki Gass/Rex Energy – Mrs. Zerfoss stated that a copy of a letter was received from Vicki and Bill Gass to Rex Energy regarding the Hofer Well Pad on Anderson Road. The letter stated they are not opposed to shale drilling in general, however, they listed 6 reasons for opposing the plan.

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New Business – Continued

Vicki Gass/Rex Energy – Continued

 1. Stockpile of dirt directly beside their in-ground pool.

 2. Well pad affects multiple families including an alpaca farm

 with no relief from noise, lights and trucks.

 3. The site is so large for the acreage limitations it may not

 meet the required distances from their home.

 4. Operation will be 24/7 with diesel trucks to and from the

 site. Continuous loud noises, lights without quiet times.

 5. Will take away from enjoying the outside in the spring, summer

 and fall.

 6. Road is currently one surface and the extra weight of trucks

 will cause damage.

They further stated they hope the location of the well pad will be reconsidered where numerous families will not be closely affected. They will monitor air and noise levels daily to ensure safety and will conduct independent water well testing before, during and after.

Rex Energy/Vicki Gass – Rex Energy provided a copy of a letter sent to Mr. and Mrs. Gass. The letter advised that Matt Metheney, Director of Land called and talked with Ms. Gass about each issue that was raised in her letter.

 1. Regarding the stockpile of dirt beside their pool. She was informed that the topsoil mound location would create an additional sound and visual barrier from the Pad Location to their home and it will be promptly seeded and grass covered during the initial construction phase.

 2. Regarding the sound protection issue they will be construction a sound wall around the Pad Location in order to lower the noise levels.

 3. Reference the pad site and distances from homes, it was explained that the location meets all required setbacks by the PA DEP in addition to setback requirements contained within all leases.

 4 and 5. Operations being 24/7 it was explained that the activity levels at the Pad Location would cycle from very busy to very slow at different times and at different durations during the entire construction and drilling period.

 6. Regarding the road they advised that Rex Energy would be required to maintain the road during operations. Ms. Gass expressed her unhappiness with the current condition of the road as it stands now.

Finally Mr. Metheney addressed in detail several questions from Ms. Gass regarding general industry standards, including but not limited to the size of storage tanks, size of drilling rig, drilling

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Audience Participation – Continued

Rex Energy/Vicki Gass - Continued

operations set up and landscape scenery, etc. Ms. Gass asked if prior to any major operations could Rex Energy notify a “point” person for their group of interested and concerned landowners to contact in order to make them aware of such developments. She was assured this could be done.

Mosebach Electric Supply – Mrs. Zerfoss submitted a proposal to replace the outside lights to LED lighting. The cost for the new lights would be $3,721.20. She hasn’t received the proposal yet for installation. Supervisor Ward requested a fixture cut and costs to install before a decision is made. Motion by Supervisor Ward and seconded by Supervisor Roth to table the motion until the next meeting. There being no questions or comments from the audience, the motion carried.

NexTier Bank – Mrs. Zerfoss submitted a proposal to use a desktop check scanner to deposit checks immediately into the Township Fund. Motion by Supervisor Roth and seconded by Supervisor Mowry that the Township Manager be authorized to contact NexTier Bank and obtain the check scanner. There being no questions or comments from the audience, the motion carried.

Mockenhaupt Benefits Group – Mrs. Zerfoss submitted copies of the Financial Summary for the Police Pension Plan and the General Employees Pension Plan for the year ending December 31, 2016.

Act 537 – Saxonburg Authority

Supervisor Roth submitted copies of the minutes of the meeting held February 13, 2017.

Audience Participation

Chuck Doughty – Stated he was speaking on behalf of the residents, concerning the Hofer Well Pad on Anderson Road, that would be affected by this well. They are not objecting to the well as they all signed leases. They would like well moved instead of placing it in a residential area. Their concerns are:

 1. Rex is building a water tank (2 million gallons)

 2. Secondary containment of the fresh water tank to protect adjoining properties and Anderson Road

 3. Trucks leaving the site will be a traffic hazard

 4. Property values will decrease

 5. Site distance requirements from the crest of the hill to the entrance to the well site

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Audience Participation – Continued

Chuck Doughty – Continued

6. A variance to the 85% runoff requirement, increasing it to 100% to maximize the runoff into the Biening pond.

 7. Temporary accommodations to the R. Holmes alpaca herd and bee hives, during drilling and completion phases of the Hofer well.

 8. Reclamation of the well pad after completion to include shrinking the well pad site approximately 100 feet on the South side closest to Britt Lane.

Steve Harris – Rex Energy – Responded to the concerns:

 1. Fresh water tank will be 12’high, 150-185’ diameter and will be removed prior to completion and can put in safe guards if requested by DEP. Tank would only be there approximately 1 month. There will be 16’ high sound barriers.

 2. Well will stay where planned

 3. Site Distance – Will get driveway permits and will put up signs alerting motorists of heavy truck traffic. Supervisor Roth stated we met with Rex Energy last Thursday and they are hiring HRG to do a study on widening the road and will also address site distance. The road will be resurfaced when work done.

Chuck Doughty – Asked if they could landscape the area to blend in to make the area look good. Mr. Harris replied that would be no problem.

Mr. Doughty also asked if the shoulders could be paved to allow for bikers and joggers.

Steve Harris – Stated he would like one resident to be the spokesperson that they can communicate with and who will then let the residents know what is happening. Mr. Harris also said there will be no permanent lighting once the drilling is complete.

Jeff Anderson – Asked if there are drawings.

Supervisor Ward asked as plans progress could a meeting be arranged between the Board and Rex Energy and the residents. Mr. Harris said that would be no problem. Supervisor Roth asked for a spokesperson for the group and to let Linda Zerfoss know who it is and she’ll let them know when the meeting will be. A tentative date is April 18, 2017.

Marlene Lott – Is representing Representative Metcalfe’s office and asked if his office could help anyone.

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Audience Participation - Continued

Nancy Swisher - Inquired about the light at Route 8 and Airport Road. Supervisor Roth said the Board had previously inquired if there were any grants available to upgrade the traffic light and have had no response. Mrs. Lott said she would check into it and have someone contact the Township. She also asked if there is any reaction to the billboards. Linda Dawson said they are not blocking the intersection.

Walt Dawson – Thanked Doug and Clinton for scheduling a meeting with Penn Dot about the signs.

Jeff Anderson – Stated he heard there could be a 3rd sign. Mr. Bonetti said possibly at the area near Diehl Automotive.

Supervisor Ward seeing no further audience participation requested a motion to adjourn. Motion offered by Supervisor Mowry and seconded by Supervisor Ward. There being no questions or comments from the audience, the motion carried.

The meeting adjourned at approximately 7:00 p.m.

Approved: Respectfully Submitted:

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Samuel M. Ward Linda D. Zerfoss

Chairman Township Manager

Board of Supervisors Penn Township